

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**MICHAEL HARRIS**

**PLAINTIFF**

**V.**

**NO. 4:18-CV-248-DMB-JMV**

**THE KROGER CO., et al.**

**DEFENDANTS**

**FINAL JUDGMENT**

In accordance with the Order entered this day, this case is **DISMISSED without prejudice** with the conditions that (1) should Harris re-file this action against Kroger, any discovery in this case be usable in the subsequent action; and (2) upon re-filing, Kroger may seek from Harris its reasonable attorney's fees for work and resources expended in this litigation which cannot "be easily carried over" to the subsequent litigation.

**SO ORDERED**, this 6th day of November, 2019.

**/s/Debra M. Brown**

**UNITED STATES DISTRICT JUDGE**